

Proposed Technical Correction:

SECTION #.(a) G.S. 143A-96.1 is repealed.

SECTION #.(b) G.S. 144-9 reads as rewritten:

"§ 144-9. Retirement of a flag of the United States of America or the State of North Carolina.

(a) A State institution or a political subdivision of the State in possession of a flag of the United States of America or the State of North Carolina that is no longer a fitting emblem for display because it is worn, tattered, or otherwise damaged shall make arrangements for its respectful disposal and may deliver the flag to the ~~Division of Veterans Affairs in the Department of Administration~~ Department of Military and Veterans Affairs for disposal. The ~~Division~~ Department shall accept a flag delivered to it and shall make arrangements for its respectful disposal.

(b) The ~~Division of Veterans Affairs~~ Department of Military and Veterans Affairs shall accept, at no charge, a worn, tattered, or otherwise damaged flag of the United States of America or the State of North Carolina from a citizen of the State and shall make arrangements for its respectful disposal. The ~~Division~~ Department shall establish a flag retirement program to encourage citizens to send in or drop off ~~such worn, tattered, or otherwise damaged~~ flags at the ~~Division's~~ Department's office in Raleigh and at any Veterans Home or Veterans Cemetery in the State and may establish other locations for flag drop-off as it deems appropriate. The ~~Division~~ Department shall advertise the flag retirement program on its ~~Web site~~ website and by printed posters placed at all flag drop-off locations. On or before December ~~31, 2016, and annually thereafter, 31 annually,~~ the ~~Division~~ Department shall report the number of flags received under the program to the Joint Legislative Committee on Governmental Operations.

(c) An official flag of the State that is no longer a fitting emblem for display because it is worn, tattered, or otherwise damaged may be respectfully retired by fire. (2010-189, s. 1; 2015-170, s. 2(b).)"

Explanation:

In addition to other clean-up changes, this technical correction makes two updates that were missed in a previous session law. Section 24.1 of S.L. 2015-241 established the Department of Military and Veterans Affairs as a new executive agency. Section 24.1(a) of S.L. 2015-241 transferred the Division of Veterans Affairs from the Department of Administration to the newly created Department of Military and Veterans Affairs. In making conforming changes throughout the General Statutes, S.L. 2015-241 missed the following conforming changes:

1. The repeal of G.S. 143A-96.1, which became obsolete.
2. A conforming change to the agency name in G.S. 144-9.

Background:

§ 143A-96.1. Transfer of Department of Veterans Affairs.

The Division of Veterans Affairs of the Department of Military and Veterans Affairs as described in Article 5 of Chapter 143B is hereby transferred by a Type I transfer, as defined in G.S. 143A-6, to the Department of Administration. The Secretary of Administration is hereby empowered and directed to employ within the Department of Administration an additional assistant secretary as Assistant Secretary for Veterans Affairs. (1977, c. 70, s. 26.)

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015**

**SESSION LAW 2015-241
HOUSE BILL 97**

AN ACT TO MAKE BASE BUDGET APPROPRIATIONS FOR CURRENT OPERATIONS OF
STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER
PURPOSES.

The General Assembly of North Carolina enacts:

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PART XXIV. DEPARTMENT OF MILITARY AND VETERANS AFFAIRS

CREATION OF DEPARTMENT

SECTION 24.1.(a) The Department of Military and Veterans Affairs is established as a new executive department. All functions, powers, duties, and obligations vested in the following agencies are transferred to, vested in, and consolidated within the Department of Military and Veterans Affairs by a Type I transfer, as defined in G.S. 143A-6:

- (1) The following components of the Department of Administration:
 - a. The Veterans' Affairs Commission.
 - b. The Governor's Jobs for Veterans Committee.
 - c. The Division of Veterans Affairs.
- (2) The North Carolina Military Affairs Commission in the Office of the Governor.

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EFFECTIVE DATE

SECTION 33.7. Except as otherwise provided, this act becomes effective July 1, 2015.

In the General Assembly read three times and ratified this the 18th day of September, 2015.

s/ Tom Apodaca
Presiding Officer of the Senate

s/ Tim Moore
Speaker of the House of Representatives

s/ Pat McCrory
Governor

Approved 9:35 a.m. this 18th day of September, 2015